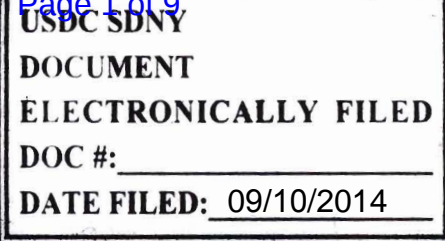


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

*This Document Relates to All Actions*  
-----X



14-MD-2543 (JMF)

14-MC-2543 (JMF)

**ORDER NO. 11**

JESSE M. FURMAN, United States District Judge:

**[Regarding Production of Documents and Electronic Data]**

WHEREAS, Defendants and Lead Counsel for the Plaintiffs have met and conferred on the procedures and format relating to the production of documents and things, and having agreed on a format for all such productions, it is SO ORDERED:

1. **General Format of Production.** The parties agree to produce documents (including Hard Copy scanned images) in the electronic format described herein. Production to the MDL 2543 Document Depository by a party (the “Producing Party”) shall be deemed sufficient to constitute production to all parties (the “Receiving Party”).

2. **Hard Copy Scanned Images.** To the extent practicable, Hard Copy scanned images shall be produced in the manner in which those documents were kept in the ordinary course of business. Where Hard Copy scanned images have identification spines, “post-it notes,” or any other labels, the information on the label shall be scanned and produced to the extent practicable. The parties will utilize reasonable best efforts to ensure that Hard Copy scanned images in a single production are produced in consecutive Bates number order.

3. **Images.** Images will be produced as Single Page Group IV, 300 DPI, when reasonably practicable, Black and White TIF images named as the Bates number. Page level Bates numbers will be branded in the lower right of the image and additional legends applied to the lower

left or lower center (if applicable). If the Receiving Party encounters a document where color is needed to comprehend the content, the Producing Party will re-produce that document in a color format upon reasonable request. Common file types that will likely require color will be produced in native format as noted below. The following formatting will be applied to Microsoft Office documents:

(a) Word Documents will be imaged showing Track Changes.

(b) Excel files with redactions will be imaged un-hiding any hidden rows and/or columns and/or sheets.

(c) PowerPoint files will be imaged in Notes Pages.

4. **Native Files.** In addition to TIF images, native files will be provided for PowerPoint, and JPG when corresponding images and any embedded items are not redacted. For files that cannot be imaged (e.g., .wav, .mpeg and .avi) or become unwieldy when converted to TIF (e.g., source code, large diagrams, etc.), the producing party will produce a placeholder (a single-page TIF slipsheet indicating that the native item was produced) along with the file itself in native format. Excel and CSV files will only be provided in native format with a placeholder, unless they have redactions. Redacted documents will be produced in TIF format. The native file will be named as the first Bates number of the respective document. The corresponding load file shall include native file link information for each native file that is produced.

5. **Agreed File Types Other Than Database Records.** The Producing Party will process the file types listed in Appendix B, unless processing is disproportionate, or overly broad or unduly burdensome, in which case the parties will meet and confer. The Producing Party will also meet and confer in good faith with the Receiving Party regarding requests to modify the file types listed in Appendix B

6. **Metadata.** A standard Concordance delimited load file (.DAT), with field header information added as the first line of the file, will be provided with each production. Documents will be produced with related metadata (to the extent it exists) as described in the attached Appendix A specifications, unless as otherwise provided herein.

7. **Image Cross Reference.** A standard Opticon (.OPT) file will be provided with each production that contains document boundaries.

(a) **Format:**

<Bates Number>,<Not Required >,<Relative Path to TIF Image>,<Y if First Page of Document, Else Blank>,,<If First Page of Document, Total Page Count>

(b) **Example:**

GM000000001,,\IMAGES\001\GM000000001.TIF,Y,,,2  
GM000000002,,\IMAGES\001\GM000000002.TIF,Y,,,  
GM000000003,,\IMAGES\001\GM000000003.TIF,Y,,,1

8. **Text.** Document level text files (.TXT) will be provided for each document produced. Text files will be named the first Bates number of the respective document. Extracted text will be provided when it exists for non-redacted documents. OCR Text will be provided for documents when no extracted text exists or when the document is redacted.

9. **De-Duplication.** Data will be de-duplicated across custodians following industry standard de-duplication algorithms. Additional custodians who had a copy prior to de-duplication will be populated in the ALL\_CUSTODIANS field.

10. **Related Documents.** Email attachments will be extracted and related back to the respective email via the ATTACH\_BEGIN field referenced in Appendix A. Embedded ESI documents (e.g., a spreadsheet embedded within a word processing document) will be extracted and related back to the respective top level parent document (e.g., standalone file, email message,

etc.) via the ATTACH\_BEGIN field referenced in Appendix A. Related documents will be produced within a continuous Bates range.

11. **Confidentiality Designations.** If a particular document has a confidentiality designation, the designation shall be stamped on the face of all TIF images pertaining to such document, in the lower left-hand corner of the document, or as close thereto as possible while preserving the underlying image. If the receiving party believes that a confidentiality stamp obscures the content of a document, then the Receiving Party may request that the document be produced with the confidentiality designation in a different position. No party may attach to any filing or any correspondence addressed to the Court (including the Magistrate Judge), or any adverse or third party, or submit as an exhibit at a deposition or any other judicial proceeding, a copy (whether electronic or otherwise) of any document produced by any Producing Party without ensuring that the corresponding Bates number and confidentiality legend, as designated by the Producing Party, appears on the document.

12. **Specialized Databases.** The parties agree to meet and confer regarding the production of reasonably accessible enterprise database-application files (e.g., SQL and SAP) and non-standard ESI responsive to the parties' requests to determine the most reasonable form of production based on the specific circumstances.

13. **Metadata Of Redacted Or Withheld Documents.** When a document or email is redacted or withheld, all metadata on a family level is excluded from the metadata DAT file.

14. **Encoding Format.** Text files, concordance load files, and Opticon image reference files will be provided in UTF-8 encoding.

15. **Search Terms.** Other than the document production referenced in the parties' proposed September 4, 2014 status conference letter (ECF No. 272 § 1), a Producing Party will

produce ESI in its possession according to agreed-upon search term criteria (including custodians and date ranges), except in instances where the parties agree that an alternative reasonable search would be more appropriate. Documents identified by search term criteria may be reviewed for privilege, confidentiality, redactions, and relevance or responsiveness prior to production.

16. **Not Reasonable Accessible Sources.** The parties have taken reasonable steps to identify and/or collect potentially relevant ESI stored on reasonably accessible sources. On or before October 1, 2014, the parties shall provide a description of sources of electronic data which may have potentially relevant information, but which the parties do not intend to search on the basis that such data is alleged to be not reasonably accessible due to burden or cost (in accordance with Rule 26(b)(2)(B)).

17. **ESI Discovery Dispute Resolution.** Prior to bringing any discovery dispute to the Court, the parties must attempt to resolve the dispute on their own, in good faith, and in accordance with the procedures and requirements outlined in the Court's Individual Rules and Practices in Civil Cases and the Court's standard Case Management Plan and Scheduling Order, both of which are available at <http://www.nysd.uscourts.gov/judge/Furman>.

18. **Disclosed Protected Information And/Or Otherwise Privileged Information.** Information produced pursuant to this Order that is subject to a claim of privilege shall be treated in a manner consistent with any order entered in this matter pursuant to Federal Rule of Civil Procedure 502(d).

19. **Costs of MDL 2543 Production.** The parties shall share the cost of the MDL 2543 Document Depository. Each party shall bear its own costs of production to the MDL 2543 Document Depository.

SO ORDERED.

Dated: September 10, 2014  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge

## Appendix A

Field	Description	Hard Copy	Email	Attachment OR Standalone File
BATES_BEGIN	First bates number assigned to the first page of the document.	X	X	X
BATES_END	Last bates number assigned to the last page of the document.	X	X	X
ATTACH_BEGIN	First bates number assigned to parent.	X	X	X
ATTACH_END	Last bates number assigned to the last child.	X	X	X
PAGE_COUNT	Number of images provided for the document	X	X	X
CUSTODIAN	Individual/Source assigned to the record at collection time	X	X	X
ALL_CUSTODIANS	Additional custodians who had a copy prior to de-duplication.		X	X
DOC_TITLE	File property Title			X
DOC_SUBJECT	File property Subject			X
CREATED_DATE	File system create date (YYYYMMDD) [Normalized to UTC]			X
CREATED_TIME	File system create time (24 HR) [Normalized to UTC]			X
LAST_MODIFY_DATE	File system last modify date (YYYYMMDD) [Normalized to UTC]			X
LAST_MODIFY_TIME	File system last modify time (24 HR) [Normalized to UTC]			X
LAST_SAVED_BY	File property Last Saved By			X
DOC_TYPE	Category of file (e.g. MSG, ATTACH, USERFILE)	X	X	X
FILE_TYPE	Type of file (e.g. Word, Excel)			X
FILE_NAME	Name of file.			X
FULL_PATH	Path to file as collected.			X
FILE_EXT	Extension of the file.			X
AUTHOR	Email FROM value.		X	
CC	Email CC value.		X	
BCC	Email BCC value.		X	
RECIPIENT	Email TO value.		X	
DATE_SENT	Date email sent (YYYYMMDD) [Normalized to UTC]		X	
TIME_SENT	Time email sent (24 HR) [Normalized to UTC]		X	
DATE_RECIEVED	Date email received (YYYYMMDD) [Normalized to UTC]		X	
TIME_RECIEVED	Time email received (24 HR) [Normalized to UTC]		X	
DATE_APPT_START	Date email calendar item start (24 HR) [Normalized to UTC].		X	
TIME_APPT_START	Time email calendar item end (24 HR) [Normalized to UTC]		X	
EMAIL_FOLDER	Folder where email resided within email container.		X	
SUBJECT	Email Subject value.		X	
TEXT_LINK	Relative path to the document level text file (e.g. \TEXT\0001\GM000000001.TXT)	X	X	X
NATIVE_LINK	Relative path to native file (if produced). (e.g. \NATIVES\001\GM000000001.XLS)			X
MD5_HASH	Hash of native file.		X	X

**APPENDIX B**

123  
7Z  
ACCDB  
ADP  
ARJ  
BAK  
BMP  
CSV (to be processed as Microsoft Excel)  
DBF  
DBX  
DOC  
DOCX  
DOT  
DOTM  
DOTX  
DWG  
EML  
EXE (only for self-extracting archives)  
GIF (will only be processed if it is an attachment to a parent email)  
GZ  
GZIP  
HTM  
HTML  
ID  
JPG  
MDB  
MHT  
MHTML  
MPP  
MSG  
NSF  
ODT  
OTT  
OTH  
ODM  
ODP  
ODG  
OTP  
ODS  
OTS  
OST  
PDF  
PNG (will only be processed if it is an attachment to a parent email)  
POT  
POTX  
POTM



PPD  
PPS  
PPSM  
PPSX  
PPT  
PPTM  
PPTX  
PS  
PSD  
PST  
PUB  
RAR  
RM  
RTF  
SDW  
SHTML  
SWF  
TAR  
TC  
TIF  
TXT  
UOP  
UOF  
UOS  
VMDK  
VHD  
VSD  
WAV  
WK1  
WKS  
WK3  
WK4  
WPC  
WPD  
XLS  
XLW  
XLSB  
XLSM  
XLSX  
XLT  
XLTM  
XLTX  
XPS  
Z  
ZIP